

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

LYNN B. GRIFFIN, et al.,

Plaintiffs,

Hon. Paul L. Maloney

v.

Case No. 1:08-cv-00040

ROBERT J. REZNICK, et al.,

Defendants.

---

**REPORT AND RECOMMENDATION**

The undersigned held a Rule 16 Scheduling Conference in this case and in Case No. 1:08-cv-00050 on June 25, 2008. According to the parties in attendance, this matter is identical to Case No. 1:08-cv-00050 and was erroneously removed to this Court by a party no longer included in the litigation. The correctly removed matter which may proceed is Case No. 1:08-cv-00050. As such, the undersigned recommends that this case, Case No. 1:08-cv-00040, be terminated, and that the identical action, Case No. 1:08-cv-00050, continue.

Respectfully submitted,

Date: July 1, 2008

/s/ Ellen S. Carmody  
ELLEN S. CARMODY  
United States Magistrate Judge

OBJECTIONS to this Report and Recommendation must be filed with the Clerk of Court within ten (10) days of the date of service of this notice. 28 U.S.C. § 636(b)(1)(C). Failure to file objections within the specified time waives the right to appeal the District Court's order. *Thomas v. Arn*, 474 U.S. 140, 155 (1985); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).